

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

| | | |
|----------------------------------|---|--------------------------------|
| Albert Junior Anthony, |) | Civil Action No. 8:14-4027-JMC |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| Carolyn W. Colvin, Acting |) | |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

ORDER TO REMAND PURSUANT TO
SENTENCE SIX OF 42 U.S.C. § 405(g)

The Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security, by her attorney, the Assistant United States Attorney for the District of South Carolina, has moved this Court, pursuant to sentence six of 42 U.S.C. § 405(g), for an order remanding this case to the Commissioner because the electronic record contains information about two other individuals whose name and date of birth are different from the Plaintiff's name and date of birth and, further, the Administrative Law Judge's (ALJ) decision appears to have relied upon the evidence that was not about the Plaintiff. Defendant contacted Plaintiff's counsel regarding this motion and Plaintiff does not object.

Pursuant to the power of this Court to enter an order remanding this case under sentence six of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby

REMANDS the case to the Commissioner, pursuant to sentence six of 42 U.S.C. § 405(g), Commissioner shall remand the claim to an Administrative Law Judge for a new hearing.

AND IT IS SO ORDERED.

s/J. Michelle Childs
J. Michelle Childs
United States Magistrate Judge

February 17, 2015
Columbia, South Carolina